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the treatment of hypertension and hyperlipidemia by a single dosage form would be immediately allowable. Applicants have, without prejudice, presented claims directed only to the allowable subject matter.

Specifically, for convenience and clarity, Applicants have cancelled all remaining claims 1 – 3, 84-101, 106, 109, 112, 115, and 118 – 184. Applicants have added new claims 185 to 196.

The new claims are supported by, for example, previous claims 99 (combined with claim 100, 101 and 106) for new claims 185-188; 127 (combined with claims 175, 128, 129, 130 and 176) for new claims 189-192; and 133 (combined with claims 134, 135, 136, 177, and 178) for new claims 193 - 196. In addition, the new claims are supported by original filed provisional application claims 1, 99, 100, 101 and 106.

Applicants reserve the right to pursue the cancelled claims, non-elected inventions, and non-elected species in one or more divisional applications.

Applicants thank the Examiner for acknowledging the receipt of the Information Disclosure Statement submitted with the original filing papers on February 25, 2000. For completion Applicants note one patent cited in that submission, 4,979,303 was lined out and not initialed by the Examiner. This patent is directed to a self hair cutting device and was cited in error.

Applicants also thank the Examiner for acknowledging the receipt of the Information Disclosure Statement ("IDS") submitted on March 26, 2001. However, as noted with Applicants' October 25, 2001 amendment, some of the references submitted on March 26, 2001 were lined out and not initialed by the Examiner. These were resubmitted on October 25, 2001. With regard to the references that were lined out Applicants note that three were not English language documents: WO 97/15291(German); DE 19539363A(German); and

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EP738510(French). Applicants apologize for this oversight and herewith provide an English language equivalent of EP738510 (U.S. 5,733,558), and an English language translation of WO 97/15291 (DE 19539363A is a German equivalent of WO 97/15291). These documents are being submitted concurrently herewith in an additional Information Disclosure Statement.

Applicants request that the Examiner carefully consider the entire text of each reference cited in the above-mentioned IDSs pursuant to her examination of this application, in accord with 37 C.F.R. §1.104(a). It is believed the Examiner will concur with Applicants' belief that the subject matter presently claimed is neither anticipated nor rendered obvious by the foregoing reference(s). It is requested that the Examiner return photocopies of the PTO-FB-A820 forms with the Examiner's initials next to each of the listed references.

It is requested that the references listed on all the PTO-FB-A820 forms be included in the "References Cited" portion of any patent issuing on this application (M.P.E.P. 1302.12).

Applicants thank the Examiner for acknowledging the priority claim to the U.S. provisional application No. 60/057,275. Applicants request an analogous acknowledgment of the claim of priority to International Patent Application Number PCT/IB98/01225 filed August 11, 1998 which claim was previously made in the Transmittal Letter with the original filing papers. Applicants have amended the present claim for priority. Attached hereto is a bracketed and underlined version of the priority claim.

A provisional double patenting rejection exists over claims 99 – 108 and 121 – 138 of copending application 09/513,889. Pursuant to the procedure set forth in M.P.E.P. § 804, the provisional rejection should be withdrawn in this case and made final in the copending application (or continuing applications thereof). Applicants also wish to draw the Examiner's attention to 09/513,887 filed February 25, 2000 (and continuing applications thereof) which is

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directed to combinations of atorvastatin and antihypertensive agents other than amlodipine. In an analogous manner to the double-patenting rejection described above and pursuant to M.P.E.P. § 804, if the Examiner believes a provisional double-patenting rejection is appropriate over this case, it should be withdrawn and made final in application 09/513,887 (or continuing applications thereof). *abandoned*

Attached hereto is a "Version with Markings to Show Changes Made" related to the change made to the sentence in the specification claiming priority. In that sentence amendments are underlined and deletions are noted with a strike-through. Because only new claims were added by the present amendment, a bracketed and underlined version of the claims is not necessary and has not been provided. See Rule 1.121.

A prompt and favorable response is earnestly solicited. If the Examiner believes that further discussion, face-to-face or by telephone, would advance the prosecution, please contact the undersigned.

Respectfully submitted,  
CONNOLLY BOVE LODGE & HUTZ LLP

Dated: \_\_\_\_\_

By \_\_\_\_\_  
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